



DECISION NOTICE

North Shore Development Submerged Logs Project Final Environmental Assessment
September 10, 2010

INTRODUCTION

We, the Department of Natural Resources and Conservation Director Mary Sexton and the Department of Environmental Quality Director Richard H. Opper, have reviewed all the information and comments received during the preparation of the North Shore Development Submerged Logs Project Environmental Assessment. We have also reviewed the Final Environmental Assessment, including comments received on the Draft Environmental Assessment and the responses to those comments.

We have compared the two alternatives to the project objectives and evaluated the advantages and disadvantages of each.

We have reviewed the identified issues and the analysis of environmental effects relevant to each issue for both proposed alternatives.

We have carefully reviewed the proposed project as outlined in the Final Environmental Assessment to ensure pertinent State and County laws, agency Administrative Rules as well as agency plans, Memorandum of Understanding (MOU) and Conservation agreements have been honored, upheld and implemented.

DECISION

We have chosen to implement the Action Alternative as outlined in chapter 2 of the Final Environmental Assessment. The proposed decision to be made under the action alternative for each agency is described below.

I, Department of Natural Resources and Conservation Director Mary Sexton, will recommend that a Land Use License issued to North Shore Development for operations outlined in the Final Environmental Assessment be submitted to the Board of Land Commissioners for approval for the following reasons:

1. Localized, temporary and geographically isolated lake bed disturbances are expected to have no significant environmental impacts to water quality from turbidity, heavy metals, polycyclic aromatic hydrocarbons (PAH), dissolved oxygen and nutrients (nitrogen and phosphorus) during salvage activities. Expected consequences are further described on pages 21-23 of the Final Environmental Assessment.
2. No significant impacts are expected to occur to fisheries resources from minor habitat modification, short-term fisheries displacement and short-term sediment suspension resulting from log salvage operations. Expected consequences are further described on pages 30-33 of the Final Environmental Assessment.
3. Recreational opportunities within the project area will not be diminished or altered due to mitigations constraining operations during peak seasonal use and scheduled recreational events in the area. These mitigations are further described in detail on page 37 of the Final Environmental Assessment.
4. The selected alternative meets the purpose and benefits of the proposed action as described on page 1 of the EA and will result in revenue generation for the State of Montana.

5. Water quality monitoring during the implementation of salvage activities provides necessary adaptive management strategies to insure high levels of confidence in the effectiveness of water quality mitigation as well as environmental effects verification.

I, Department of Environmental Quality Director Richard H. Opper, will recommend that North Shore Development's application for a short-term water quality standard for turbidity (318 Authorization) be granted for the following reasons:


1. Proposed activities under the action alternative will be unable to meet numeric standards for total suspended sediment and turbidity as adopted by the Board of Environmental Review under MCA 75-5-301 and narrative standards during periods of operations will be adopted.
2. Mitigations incorporated into the project design will allow the proposed actions to be implemented to ensure that the activity is not harmful, detrimental, or injurious to public health and the uses of state waters and will ensure that existing and designated beneficial uses of state water are protected and maintained during project implementation and upon project completion.
3. Water quality monitoring during the implementation of salvage activities provides necessary adaptive management strategies to insure high levels of confidence in water quality mitigation effectiveness as well as environmental effects verification.

We believe the potential environmental effects of both the no-action and action alternatives were adequately identified and analyzed in the Final Environmental Assessment.

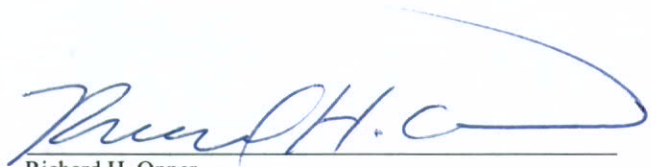
The Final Environmental Assessment and other pertinent information about this project are posted and available for reference at the DNRC website: [North Shore Development Submerged Logs Project Final EA](#).

Upon execution of the decision, we will recommend that the Land Use License issued to North Shore Development, LLC be submitted to the Board of Land Commissioners for approval. We also recommend that a 318 Authorization for the project be issued by the Department of Environmental Quality.

Sincerely,



Mary Sexton
Director
Montana Department of Natural Resources and Conservation



Richard H. Opper
Director
Montana Department of Environmental Quality